

Clean Water Act (CWA)

- Section 319
 - Provides grants to states, territories, and Tribes to address the water quality problems caused by NPS pollution
- Section 518
 - Authorizes EPA to treat federally recognized Indian Tribes in the same manner as states and extend grants funded through Section 319

Congressionally Authorized Funding

- CWA Section 518 originally set a funding cap on CWA Section 319 funds awarded to Tribes of 1/3 of 1% of available CWA Section 319 funding.
- Congress increased funding for the Tribal NPS Program from \$330,000 in FY 1997 to \$6 million in FY 2001- 2003.
- In FY 2004 - 2007, Congress increased CWA Section 319(h) funding to Tribes to \$7,000,000.

CWA Section 319 National Program Facts

- From 1997 to 2007, participating Tribes have increased from 11 to 125
- Participating Tribes represent more than 75% of all tribal land, approximately 40 million acres
- In 2006, 11 new Tribes joined the program
- Approval of additional Tribes is expected in 2007



Tribal NPS Program Guidelines



- Annual Guidelines, changes every year
- Provides information on available funds, eligible activities, program priorities, due dates, required information on proposal contents, and submission requirements
- FY2008 Guidelines will be published in October 2007 for the upcoming grant cycle
- Guidelines are accessible on www.epa.gov or contact your Grants Project Officer for a copy

Funding for Tribal CWA Section 319 Programs



- Base grant
 - \$30,000 for Tribes with 1,000 square miles or less
 - \$50,000 for Tribes with more than 1,000 square miles
- Competitive grants
 - Up to \$150,000 to implement on-the-ground water quality improvement projects
- Funds require a 40 percent non-federal match of total project costs. This amount can be reduced to 10 percent in cases of undue financial hardship.

FY2008 – CWA Section 319 Grant Schedule

- Eligibility Determination Date – October 12, 2007
- Base grant work plan submittals due to EPA Regional office – December 7, 2007
- Competitive grant proposal work plan due to EPA Regional office or grants.gov – December 7, 2007
- EPA Headquarters notifies Regions and Tribes of project selections – March 3, 2008
- Final grant application due to EPA Regional office – April 2, 2008

CWA Section 319 Funded Activities


Implementation of Tribal NPS Management Programs

- Implementation of management measures / best management practices in priority watersheds
- Local coordination and planning of watershed projects



CWA Section 319 Funded Activities (continued)

- Information and education outreach
- Post project water quality monitoring for NPS assessments and watershed projects to measure environmental results
- Watershed-Based Plans development and implementation



CWA Section 319 Program Eligibility Requirements

Through a 2-step process the Tribe must have approved by the Regional Office:

- Documentation of tribal eligibility (TAS/FAE)
- NPS Assessment Report and NPS Management Program Plan

Tribal Eligibility

(CWA Section 518(e))

A Tribe must demonstrate:

- Federal recognition
- Substantial governmental duties and powers
- Capability to carry out program
- Legal authority and jurisdiction

→ Essentially the same as CWA Section 106 TAS/FAE.

Tribal Eligibility

(CWA Section 518(e))

1. Federal recognition

- Tribe must be Federally recognized by the Secretary of the Interior.

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DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Indian Entities Recognized and Eligible To Receive Services From the United States Bureau of Indian Affairs

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: Notice is hereby given of the current list of 562 tribal entities recognized and eligible for funding and services from the Bureau of Indian Affairs by virtue of their status as Indian tribes. This notice is published pursuant to Section 104 of the Act of November

changes, the tribe's former name is included with the new tribal name. We will continue to list the tribe's former name for several years before dropping the former name from the list. We have also made several corrections. To aid in identifying corrections, the tribe's previously listed name is included with the tribal name.

The listed entities are acknowledged to have the immunities and privileges available to other federally acknowledged Indian tribes by virtue of their government-to-government relationship with the United States as well as the responsibilities, powers, limitations and obligations of such tribes. We have continued the practice

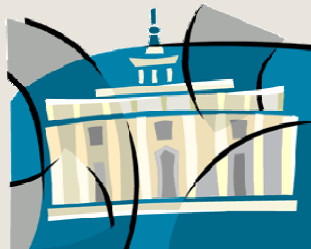
Big Sandy Rancheria of Mono Indians of California
Big Valley Band of Pomo Indians of the Big Valley Rancheria, California
Blackfeet Tribe of the Blackfeet Indian Reservation of Montana
Blue Lake Rancheria, California
Bridgeport Paiute Indian Colony of California
Buena Vista Rancheria of Me-Wuk Indians of California
Burns Paiute Tribe of the Burns Paiute Indian Colony of Oregon
Cabazon Band of Cahuilla Mission Indians of the Cabazon Reservation, California
Cachil DeHe Band of Wintun Indians of the Colusa Indian Community of the

Tribal Eligibility

(CWA Section 518(e))

2. Tribal government

- Narrative statement describing how the governing body carries out its duties and powers.
 - Constitution
 - Articles of incorporation
 - Codes
 - Ordinances
 - Resolutions



Tribal Eligibility

(CWA Section 518(e))

3. Capability

- Narrative statement describing the Tribes capability to administer programs.
 - Previous and current general managerial experience
 - Evidence of environmental and public health concerns
 - Description of existing and proposed staff resources (include resumes of staff)
 - Description of accounting and procurement systems

Tribal Eligibility

(CWA Section 518(e))

4. Tribal jurisdiction

- A description of the Tribes jurisdiction over the water resources on the reservation.
 - Maps of the reservation and of waters over which the Tribe asserts authority
 - Executive Order, Treaties, and/or Acts of Congress which established the reservation
 - Statement from Tribal Attorney describing the Tribe's jurisdiction over the water resources within the reservation
 - Ordinances or other documents which demonstrate authority comparable to Section 504 of the Clean Water Act